

MAY 25 2005



368 S. Main Street  
Suite 500  
Akron, Ohio 44311-4407  
Telephone: 330.535.5711  
Facsimile: 330.253.8601  
Internet: www.brouse.com

## Facsimile Transmittal Cover Sheet

|                 |                                     |   |                  |
|-----------------|-------------------------------------|---|------------------|
| <b>To:</b>      | _____                               | <b>From:</b>                                | Connie J. Nutter |
| <b>Company:</b> | U.S. Patent and Trademark<br>Office | <b>Date:</b>                                | May 25, 2005     |
| <b>Phone:</b>   | _____                               | <b>Re:</b>                                  | _____            |
| <b>Fax:</b>     | 703-872-9306                        | <b>Total pages (Including cover sheet):</b> | 5                |
| <b>CC:</b>      | _____                               |   |                  |

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ FYI

### Comments:

Please find attached an Application to Withdraw as Attorney of Record that was filed with your office on March 11, 2005. I am requesting a status at this time. Please call me upon receipt of this facsimile with a status of this application.

If problems arise during transmission, please contact  
Office Services at 330.535.5711, ext. 349.

This faxed transmission contains confidential information from the law firm of Brouse McDowell, a Legal Professional Association. This information may be covered by the attorney-client privilege or constitute attorney work product. Information contained in this fax is intended solely for the person or entity named above. If you are not the intended recipient of this communication, you hereby are notified that any dissemination, distribution, or copying of the contents is strictly prohibited. In addition, you are strictly prohibited from taking any action in reliance on the contents of this fax. If you have received this communication in error, please notify the sender immediately and destroy all copies. Thank you for your cooperation.

**RECEIVED**  
**CENTRAL FAX CENTER**

MAY 25 2005  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Richard J. Englehart  
FOR : LOG AND SCREW PIN BUILDING  
SYSTEM  
SERIAL NO. : 10/085,301  
FILED : February 27, 2002  
LAST OFFICE ACTION : January 24, 2005  
EXAMINER : Chi Q. Nguyen  
GROUP ART UNIT : 3635  
ATTORNEY DOCKET NO. : 30613.30015

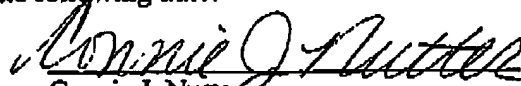
Akron, Ohio 44311-4407  
March 8, 2005

\*\*\*\*\*

**CERTIFICATE OF MAILING**

I hereby certify that this **APPLICATION TO WITHDRAW AS ATTORNEY OF RECORD ACCORDING TO 35 C.F.R. § 1.36** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the following date:

3-11-05  
Date

  
Connie J. Nutter

\*\*\*\*\*

**APPLICATION TO WITHDRAW AS ATTORNEY OF RECORD**  
**ACCORDING TO 35 C.F.R. § 1.36**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Page 2 of 3

Pursuant to 35 C.F.R. § 1.36, the undersigned, Roger D. Emerson, hereby requests permission to withdraw as attorney herein.

The reasons for my requested withdrawal are contained in detail in the enclosed letter to Mr. Richard J. Englehart, but can be summarized as (1) the applicant has not paid me for the services he has requested I perform; (2) the applicant has consistently and deliberately disregarded agreements and obligations he has made to me, especially concerning reimbursement for expenses and payment of my fees; and (3) by his conduct the applicant is making it unreasonably difficult for me to carry out my representation of him and employment by him, effectively.

I have delivered to the client all files for which I was responsible and information he has given to me. Thereby, I have effectively empowered him to carry on his own prosecution of the application, whether pro se or by hiring another intellectual property attorney. The time for response in the application is greater than thirty days. As such, I believe I have left the applicant in a condition to carry on the prosecution of his application without me. Therefore, I believe I have complied with all the obligations placed upon me by the U.S. Patent and Trademark Office to allow such withdraw and believe I am entitled to the application I request.

I hereby revoke all Associate Powers of Attorney previously granted.

Page 3 of 3

Please send all further correspondence directly to the inventor at the address below:

Mr. Richard J. Englehart  
President  
Englehart Products EPI  
4014 E. 116 St.  
Cleveland, OH 44105

Respectfully yours,

BROUSE MCDOWELL



Roger Q. Emerson, Esq.  
Reg. No. 33,169  
500 First National Tower  
Akron, Ohio 44308-1136

050310

Date

Telephone No.: (330) 535-5711  
Fax No.: (330) 253-8601

604195.1



John M. Skeriotis  
Attorney at Law  
jskeriotis@brouse.com

388 S. Main Street  
Suite 500  
Akron, OH 44311-4407  
Office: 330.535.5711  
Fax: 330.253.8601  
1001 Lakeside Avenue  
Suite 1600  
Cleveland, OH 44114-1151  
Office: 216.830.6830  
Fax: 216.830.6807  
www.brouse.com

March 9, 2005

Mr. Richard J. Englehart  
President  
Englehart Products EPI  
4014 E. 116 St.  
Cleveland, OH 44105

VIA CERTIFIED MAIL

Re: Withdrawal of Representation  
Before the U.S. Patent and Trademark Office for:  
**LOG AND SCREW PIN BUILDING SYSTEM**  
Our Ref.: 30613.30015

Dear Richard:

Currently, you have an outstanding balance with Brouse McDowell in the amount of \$2,682.10. No attempts have been made with our accounting department in order to rectify this situation. Please note that I will be asking the Commissioner of Patents to allow me to withdraw in representing you in this case. I have directed the Commissioner of Patents to send all future correspondence and telephone inquiries to you at the above-referenced address.

Enclosed, please find a copy of all of the information I have sent to the Patent and Trademark Office on your behalf. Should you hire another attorney to represent you in this matter or if you would like to do it yourself, please feel free to call me for assistance. I would be happy to cooperate with whomever you may choose to represent you.

Very truly yours,

BROUSE MCDOWELL

John M. Skeriotis

JMS/cjn  
Enclosures  
604194.1